

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

IOWA MIGRANT MOVEMENT
FOR JUSTICE, *et al.*,

Plaintiffs-Appellees,

v.

BRENNA BIRD, *et al.*,

Defendants-Appellants.

Case No. 24-2263

UNITED STATES,

Plaintiff-Appellee,

v.

STATE OF IOWA, *et al.*,

Defendants-Appellants.

Case No. 24-2265

**UNOPPOSED MOTION FOR SEPTEMBER ORAL ARGUMENT
AND REVISED BRIEFING SCHEDULE**

Defendants-Appellants Brenna Bird, in her official capacity as Attorney General of Iowa; State of Iowa; Kimberly Reynolds, in her official capacity as Governor of Iowa; Iowa Department of Public Safety; and Stephan Kenneth Bayens, in his official capacity as Commissioner of

Iowa Department of Public Safety, request the Court set this consolidated appeal for argument on its September 2024 oral argument calendar, and adopt the proposed briefing schedule to accommodate a September argument. Plaintiffs-Appellees do not oppose this motion. In support of this motion, Defendants-Appellants state as follows:

1. Defendants-Appellants appeal the district court's grant of a preliminary injunction enjoining Defendants-Appellants' enforcement of Iowa Senate File 2340 as preempted by federal law. The law was to take effect on July 1, 2024, but remains preliminarily enjoined pending disposition of this appeal.

2. This Court issued a consolidated briefing schedule, consolidating case 24-2263 with case 24-2265.

3. Prompt resolution of this appeal is in the public interest and in the best interests of all parties due to the important issues involved.

4. Defendants-Appellants request the Court set this case for oral argument for the September 23–27, 2024, argument calendar.

5. Defendants-Appellants propose the following revised briefing schedule, which assumes the earliest possible argument on the Court's

September calendar, and which complies with FRAP 28(f)(4)'s requirement that reply briefs be filed at least 7 days before argument:

- a. Opening Brief: July 26, 2024
 - b. Response Brief: August 26, 2024
 - c. Reply Brief: September 16, 2024
 - d. Oral argument: week of September 23, 2024
6. Plaintiffs-Appellees in both consolidated cases agree to this schedule.

Wherefore, Defendants-Appellants respectfully request that the Court set this consolidated appeal for argument on its September 2024 oral argument calendar.

Dated: June 21, 2024

BRENNNA BIRD
Attorney General of Iowa

/s/ Eric Wessan
Eric Wessan
Solicitor General

/s/ Patrick C. Valencia
Patrick C. Valencia
Deputy Solicitor General

/s/ Breanne A. Stoltze
Breanne A. Stoltze
Assistant Solicitor General

Iowa Department of Justice
Hoover State Office Building
Des Moines, Iowa 50319
(515) 823-9117 / (515) 281-5191
(515) 281-4209 (fax)
eric.wessan@ag.iowa.gov
patrick.valencia@ag.iowa.gov
breanne.stoltze@ag.iowa.gov

Attorneys for Appellants

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rules of Appellate Procedure 27 and 32, I hereby certify that this filing complies with all applicable typeface and formatting requirements and that it contains 534 words, as determined by the word-count feature of Microsoft Word.

/s/ *Patrick C. Valencia*
Patrick C. Valencia

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2024, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Patrick C. Valencia
Patrick C. Valencia